

CITY OF OAKLAND

**Cultural Affairs Commission
Regular Meeting Agenda
Monday, October 25, 2021
4:00 – 7:00 PM**

Pursuant to California Government Code section 54953(e), the Cultural Affairs Commissioners, as well as City staff, will participate via phone/video conference, and no physical teleconference locations are required.

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/92417598222>

Or One tap mobile :

US: +14086380968,,92417598222# or +16699006833,,92417598222#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 408 638 0968 or +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 301 715 8592 or +1 312 626 6799 or +1 646 876 9923 or 877 853 5257 (Toll Free) or 888 475 4499 (Toll Free) or 833 548 0276 (Toll Free) or 833 548 0282 (Toll Free)

Webinar ID: 924 1759 8222

International numbers available: <https://us06web.zoom.us/j/92417598222>

There are three ways to submit public comments. • **eComment**: send your comment directly to Cultural Affairs Commission staff BEFORE the meeting via email NBalram@oaklandca.gov • To comment **by Zoom video conference**, click the “Raise Your Hand” button to request to speak when Public Comment or Open Forum is being taken. You will be permitted to speak during your turn, allowed to comment, and after the allotted time, re-muted. Instructions on how to “Raise Your Hand” is available at: <https://support.zoom.us/hc/en-us/articles/205566129> - Raise-Hand-In-Webinar. • To comment **by phone**, please call on one of the above listed phone numbers. You will be prompted to “Raise Your Hand” by pressing “*9” to speak when Public Comment is taken. You will be permitted to speak during your turn, allowed to comment, and after the allotted time, re-muted. Please unmute yourself by pressing *6.

If you have any questions, please email Neha Balram, Program Analyst for the Cultural Affairs Commission at NBalram@oaklandca.gov.



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Cultural Affairs Commission
Regular Meeting Agenda
Monday, October 25, 2021
4:00 – 7:00 PM

AGENDA

Roll Call/Call to Order

1. Welcome
2. Land Acknowledgement
3. Artist Spotlight: Aida Salazar
4. Action Item 1: Approval of Minutes from September 27, 2021
5. Action Item 2: Adopt Resolution 21-10-02 Determining that Conducting In-Person Meetings of the Cultural Affairs Commission and its Committees would Present Imminent Risks to Attendees' Health, and Electing to Continue Conducting Meetings Using Teleconferencing in Accordance with California Government Code Section 54953(e), a Provision of AB-361
6. Public Comment
7. Department of Violence Prevention Presentation - Guillermo Cespedes, Chief of Violence Prevention
8. Racial Equity Assessment Report Presentation - LeaderSpring Center: Safi Jiroh, Deputy Director, and Rachel Farahbakhsh, Senior Manager of Operations
9. Cultural Affairs Division Manager's Update
10. Update: Special Activity Permits Division - Greg Minor, Assistant to the City Administrator
11. Open Forum
12. Announcements & Oakland Artist Acknowledgements
 - Remembering: Dr. Zakarya Sao Diouf
13. Closing

Next regular meeting: January 24, 2022 at 4:30 – 7:30 PM via Teleconference

Adjourn

♿ This meeting location is wheelchair accessible. To request disability-related accommodations or to request American Sign Language (ASL), Cantonese, Mandarin, or Spanish language interpreter, please email NBalram@oaklandca.gov or call (510) 238-4949 Or 711 (for Relay Service) at least five (5) business days before the meeting. Please refrain from wearing scented products to this meeting as a courtesy to attendees with chemical sensitivities.

Esta reunión es accesible para sillas de ruedas. Si desea solicitar adaptaciones relacionadas con discapacidades, o para pedir un intérprete de en español, Cantones, mandarín o de lenguaje de señas (ASL) por favor envíe un correo electrónico a NBalram@oaklandca.gov o llame al (510) 238-4949 o al 711 para servicio de retransmisión (Relay service) por lo menos cinco días hábiles antes de la reunión. Se le pide de favor que no use perfumes a esta reunión como cortesía para los que tienen sensibilidad a los productos químicos. Gracias.

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Địa điểm tổ chức cuộc họp có đường dành riêng cho xe lăn. Đề yêu cầu các phương tiện hỗ trợ phục vụ người khuyết tật hoặc yêu cầu thông dịch viên ASL, tiếng Quảng Đông, tiếng Quan Thoại hoặc tiếng Tây Ban Nha, vui lòng gửi email đến địa chỉ NBalram@oaklandca.gov hoặc gọi đến số (510) 238-4949 hoặc 711 (với Dịch vụ Tiếp âm) ít nhất năm (5) ngày làm việc trước khi cuộc họp diễn ra. Vui lòng không sử dụng các sản phẩm có mùi thơm khi tham gia cuộc họp này như một phép lịch sự đối với những người tham dự nhạy cảm đối với các chất hóa học.

Cultural Affairs Division - Economic & Workforce Development Department

Cultural Affairs Commission Secretary – Neha Balram

Phone: (510) 238-4949

Recorded Agenda: (510) 238-2386

Telecommunications Relay Service: 711

Artist Spotlight



Aida Salazar

Aida Salazar is an award-winning author, arts activist, and translator whose writings for adults and children explore issues of identity and social justice. She is the author of the critically acclaimed middle grade verse novels, *THE MOON WITHIN* (International Latino Book Award Winner) and *LAND OF THE CRANES* (Américas Award, California Library Association Betty Award, Northern CA Book Award, NCTE Charlotte Huck Honor, Jane Addams Peace Honor). Her forthcoming books include the picture book anthology, *IN THE SPIRIT OF A DREAM: 13 Stories of Immigrants of Color* (Fall, 2021), the bio picture book *JOVITA WORE PANTS: The Story of a Freedom Fighter* (Fall, 2022), the novel, *A SEED IN THE SUN* (Summer, 2022), and the anthology *CALLING THE MOON: Period Stories by BIPOC Authors* (Spring, 2022). Aida a founding member of LAS MUSAS - a Latinx kidlit debut author collective. Her story, *By the Light of the Moon*, was adapted into a ballet production by the Sonoma Conservatory of Dance and is the first Xicana-themed ballet in history. She lives with her family of artists in a teal house in Oakland, CA.



CITY OF OAKLAND

**Cultural Affairs Commission
Regular Meeting Minutes DRAFT
Monday, September 27, 2021
4:00 – 6:47 PM**

Members in Attendance: Diane Sanchez (Chair), Michelle Mush Lee (Vice Chair), Roy Chan, Kev Choice, Jennifer Easton, J. K. Fowler, Vanessa Whang, Theo Aytchan Williams

Members Absent: Charmin Roundtree-Baaqee

Staff in Attendance: Roberto Bedoya, Neha Balram, Raquel Iglesias, Denise Pate, Kristen Zaremba

Guest Speakers: Lucy Saephan, Greg Minor, Jim MacIlvaine

Roll Call/Call to Order

1. Welcome

Chair Sanchez called the meeting to order at 4:00 PM. She acknowledged Commissioner Roundtree-Baaqee's service on the CAC, who terms off the Commission on September 30, 2021.

2. Land Acknowledgement

Vice Chair Lee led the Land Acknowledgement, recognizing that Oakland is Huichin the land of the Chochenyo speaking Ohlone. She reminded listeners that land acknowledgements are important and necessary, but not enough to make a difference. She called for listeners to make a difference with informed action, such as paying a Shuumi Tax.

3. Artist Spotlight: Lucy Saephan

Vice Chair Lee introduced the artist in spotlight Lucy Saephan. She is a queer second-generation Mien American filmmaker living in Oakland. Coming out and coming into her own identities, she continues to explore living life beyond the margins. Saephan shared a clip of her documentary film about her grandmother called "My Name Is Lai". Following the clip, Vice Chair Lee led a Q&A session with Saephan where she talked about film and the Mien American community and experience in the Bay Area.

4. Action Item 1: Approval of Minutes from July 26, 2021

Motion to approve the meeting minutes from July 26, 2021 made by Commissioner Whang; seconded by Commissioner Lee.

Chan	AYE
Choice	AYE
Easton	AYE
Fowler	AYE

Lee	AYE
Sanchez	AYE
Whang	AYE
Williams	AYE

The motion passed.

5. Action Item 2: Adopt a Resolution 21-09-01 Determining that Conducting In-Person Meetings of the Cultural Affairs Commission and its Committees would Present Imminent Risks to Attendees’ Health, and Electing to Continue Conducting Meetings Using Teleconferencing in Accordance with California Government Code Section 54953(e), a Provision of AB-361

Motion to adopt Resolution 21-09-01 made by Commissioner Sanchez; seconded by Commissioner Chan.

Chan	AYE
Choice	Abstain
Easton	AYE
Fowler	AYE
Lee	AYE
Sanchez	AYE
Whang	AYE
Williams	AYE



The motion passed.

6. Public Comment

No members of the public made a comment.

7. Commission Chair Update

Chair Sanchez provided a brief update about a CAC ad hoc team’s involvement in providing feedback to the Parks and Recreation Advisory Commission (PRAC) on an ordinance they are working on to amend Chapter 12.64 of the Oakland Municipal Code, which addresses the parameters of use for public space. The PRAC received the edits and will take them under consideration. They anticipate the ordinance to be heard by the Life Enrichment Committee sometime between the end of the year or early in 2022.

She reminded the Commissioners that there are three vacancies on the Commission. The goal is to interview candidates and submit at least two recommendations to the Mayor and City Council by the end of the year.

She noted that the Commission will have a chance to review the Racial Equity Assessment Report in advance of a larger discussion at the October Commission meeting.

8. Cultural Affairs Division Manager’s Update

Roberto Bedoya announced that Denise Pate, Cultural Funding Program Coordinator, will leave her position with the City of Oakland in October for a new job opportunity. Bedoya

acknowledged her grace, contributions to the cultural community, and the caliber of experience she brought to the position.

He noted that the latest round of Neighborhood Voices goes to City Council for approval in November. A new round of Neighborhood Voices that is focused on festival culture will launch in January 2022.

The Cultural Strategist-in-Government program launch has been delayed but he anticipates an announcement calling for applications to go out in November.

Finally, he noted that an announcement about A Just City Cultural Fund awardees will be shared with Commissioners next month.

9. Commissioner Discussion: Ad Hoc Teams FY21-22 Work Priorities

The Cultural Affairs Commission will assess the cultural community's needs on an annual basis and determine the top priority areas they can address through work done outside of public meetings on unofficial Ad Hoc Teams. Priority areas and the methods used to address those priorities should be guided by the Work Plan presented to the Commission in January 2021, which utilizes the Cultural Plan, "Belonging in Oakland", as its North Star.

Chair Sanchez provided an overview of each of the priority areas listed below. The Commissioners had a chance to express their interest in working on any of priority areas and discuss possible activities and goals.

Ad Hoc Team Priority Area Ideas for FY2021-22

1. Cultural Development in District 6 and District 7 – Commissioner Choice volunteered to chair this team
2. Impact of Arts and Culture in the Mayoral Election 2022 – Commissioners Fowler, Lee, and Williams
3. Building Cross-Departmental Relationships
4. Mid-Cycle City Budget Revise
5. City's General Plan Update – Commissioners Easton, Whang, and Chan
6. Recognition of the Ohlone – Commissioner Whang

10. Update: Special Activity Permits Division from Greg Minor, Assistant to the City Administrator

Greg Minor noted that his team is looking for feedback on the draft One-Stop Shop Special Event Permit Application.

https://www.surveymonkey.com/r/RWXN2YS?fbclid=IwAR0u3h3hj8nFi-Of_UiNgXBUHwjVPZFnA0jAoEiFyqQVLAJCqsVOv08ake8

The Commissioners used this opportunity to ask questions about City of Oakland policies for permitted events, including police security requirements, other policy models, and improved webpage communications and information accessibility.

11. Open Forum

No members of the public made a comment.

12. Announcements & Oakland Artist Acknowledgements

Commissioner Fowler announced that the Inaugural Address of Dr. Ayodele Nzinga, Oakland's First Poet Laureate, will be on October 7 at 6:00 PM and will feature readings and performances from Bay Area artists and poets.

Commissioner Choice read acknowledgements of maestro Michael Morgan and musician Steve Zumbi Gaines of Zion I. Commissioner Easton read an acknowledgement of artist Hung Liu. Commissioner Lee noted the recent passing of San Francisco artist Yolanda Lopez.

Commissioners took a moment to acknowledge Commissioner Roundtree-Baaqee's expertise and experience to the CAC during her tenure.

13. Closing

Chair Sanchez thanked the Commissioners, City staff, and the public for joining the meeting.

Commissioner Williams made a motion to adjourn the meeting, seconded by Commissioner Choice.

The meeting adjourned at 6:47 PM.

DRAFT

OAKLAND CULTURAL AFFAIRS COMMISSION

RESOLUTION NO. 21-10-02

ADOPT A RESOLUTION DETERMINING THAT CONDUCTING IN-PERSON MEETINGS OF THE CULTURAL AFFAIRS COMMISSION AND ITS COMMITTEES WOULD PRESENT IMMINENT RISKS TO ATTENDEES' HEALTH, AND ELECTING TO CONTINUE CONDUCTING MEETINGS USING TELECONFERENCING IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 54953(e), A PROVISION OF AB-361.

WHEREAS, on March 4, 2020, Governor Gavin Newsom declared a state of emergency related to COVID-19, pursuant to Government Code Section 8625, and such declaration has not been lifted or rescinded. *See* <https://www.gov.ca.gov/wp-content/uploads/2020/03/3.4.20-Coronavirus-SOE-Proclamation.pdf>; and

WHEREAS, on March 9, 2020, the City Administrator in their capacity as the Director of the Emergency Operations Center (EOC), issued a proclamation of local emergency due to the spread of COVID-19 in Oakland, and on March 12, 2020, the City Council passed Resolution No. 88075 C.M.S. ratifying the proclamation of local emergency pursuant to Oakland Municipal Code (O.M.C.) section 8.50.050(C); and

WHEREAS, City Council Resolution No. 88075 remains in full force and effect to date; and

WHEREAS, the Centers for Disease Control (CDC) recommends physical distancing of at least six (6) feet whenever possible, avoiding crowds, and avoiding spaces that do not offer fresh air from the outdoors, particularly for people who are not fully vaccinated or who are at higher risk of getting very sick from COVID-19. *See* <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>; and

WHEREAS, the CDC recommends that people who live with unvaccinated people avoid activities that make physical distancing hard. *See* <https://www.cdc.gov/coronavirus/2019-ncov/your-health/about-covid-19/caring-for-children/families.html>; and

WHEREAS, the CDC recommends that older adults limit in-person interactions as much as possible, particularly when indoors. *See* <https://www.cdc.gov/aging/covid19/covid19-older-adults.html>; and

WHEREAS, the CDC, the California Department of Public Health, and the Alameda County Public Health Department all recommend that people experiencing COVID-19

symptoms stay home. See <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html>; and

WHEREAS, persons without symptoms may be able to spread the COVID-19 virus. See <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>; and

WHEREAS, fully vaccinated persons who become infected with the COVID-19 Delta variant can spread the virus to others. See <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/fully-vaccinated.html>; and

WHEREAS, the City's public-meeting facilities are indoor facilities that do not ensure circulation of fresh / outdoor air, particularly during periods of cold and/or rainy weather, and were not designed to ensure that attendees can remain six (6) feet apart; and

WHEREAS, holding in-person meetings would encourage community members to come to City facilities to participate in local government, and some of them would be at high risk of getting very sick from COVID-19 and/or would live with someone who is at high risk; and

WHEREAS, in-person meetings would tempt community members who are experiencing COVID-19 symptoms to leave their homes in order to come to City facilities and participate in local government; and

WHEREAS, attendees would use ride-share services and/or public transit to travel to in-person meetings, thereby putting them in close and prolonged contact with additional people outside of their households; and

WHEREAS, on September 27, 2021 the Cultural Affairs Commission adopted a resolution determining that conducting in-person meetings would present imminent risks to attendees' health, and electing to continue conducting meetings using teleconferencing in accordance with California Government Code Section 54953(e), a provision of AB-361; now therefore be it:

RESOLVED: that the Cultural Affairs Commission finds and determines that the foregoing recitals are true and correct and hereby adopts and incorporates them into this resolution; and be it

FURTHER RESOLVED: that, based on these determinations and consistent with federal, state and local health guidance, the Cultural Affairs Commission renews its determination that conducting in-person meetings would pose imminent risks to the health of attendees; and be it

FURTHER RESOLVED: that the Cultural Affairs Commission firmly believes that the community's health and safety and the community's right to participate in local government, are both critically important, and is committed to balancing the two by continuing to use teleconferencing to conduct public meetings, in accordance with California Government Code Section 54953(e), a provision of AB-361; and be it

FURTHER RESOLVED: that the Cultural Affairs Commission will renew these (or similar) findings at least every thirty (30) days in accordance with California Government Code section 54953(e) until the state of emergency related to COVID-19 has been lifted, or the Cultural Affairs Commission finds that in-person meetings no longer pose imminent risks to the health of attendees, whichever occurs first.

Department of Violence Prevention Oakland, California

Chief Guillermo Cespedes

Cultural Affairs Commissioners

October 25, 2021

How We Got Here

- **Council Legislation 2017**
- **Chief Hired in September 2019**
- **Deputy Chief Hired in June 2020**
- **Oakland Unite Formally incorporated into DVP July 2020**

A PUBLIC HEALTH COMMUNITY DRIVEN MANDATE

01

Reduce Gun
Violence

02

Reduce
Intimate
Partner
Violence

03

Reduce
Commercial
Sexual
Exploitation

04

Reduce
Number of
Unsolved Cold
Cases

05

Reduce Levels
of Community
Trauma

VIOLENCE as EPIDEMIC

CHARACTERISTICS OF EPIDEMICS IN POPULATIONS

CHARACTERISTICS OF VIOLENT CRIME IN OAKLAND

CLUSTERING

Oakland crime is concentrated. It happens in specific neighborhoods where the underlying conditions, including high rates of shootings, create potential for violent behavior.

SPREAD

Gun and gender based violence during the pandemic has spread to a new populations, some as young as middle schoolers and violence by and against women increasing, and is always in constant danger of spreading further.

TRANSMISSION

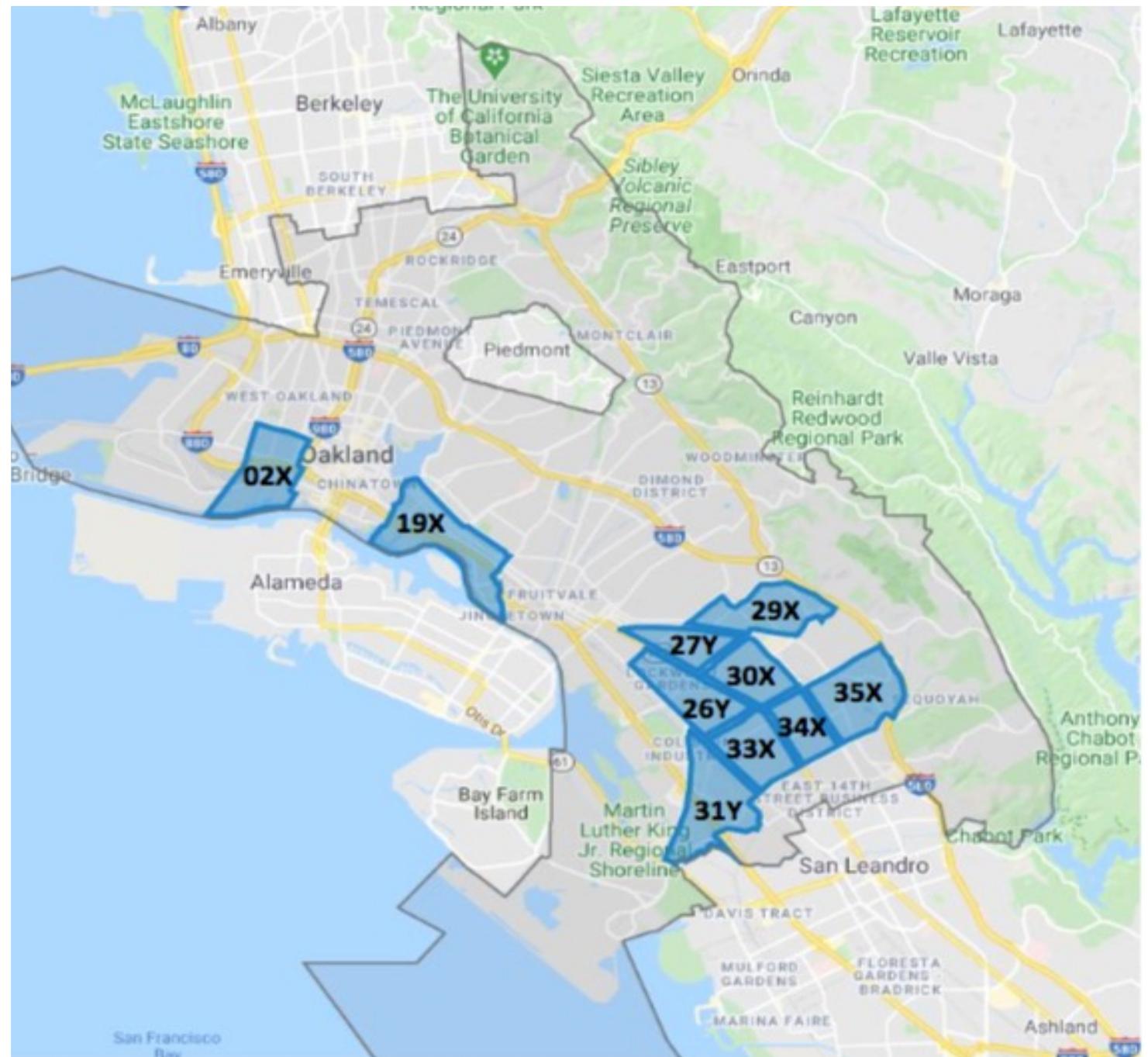
Oakland's poorer, marginalized communities of color who have historically experienced violence disproportionately are highly susceptible as – “hurt people, hurt people” - and exposure rates to violence creates vulnerable behaviors among community members.



Focus

- **Specific Places**
- **Specific People**
- **Specific Months of the Year**
- **Specific Days of the Week**
- **Specific Times of the Day**

10 BEATS WITH
HIGHEST NUMBER
OF SHOOTING
WITH INJURIES
2018 to 2020



SIMULTANEOUS IMPLEMENTATION OF THREE LEVELS IN A SPECIFIED LOCATIONS

Putting Out Fires & Fireproofing



FY 2021-2022 Council Approved \$20M RFQ

Gun Violence (50%)

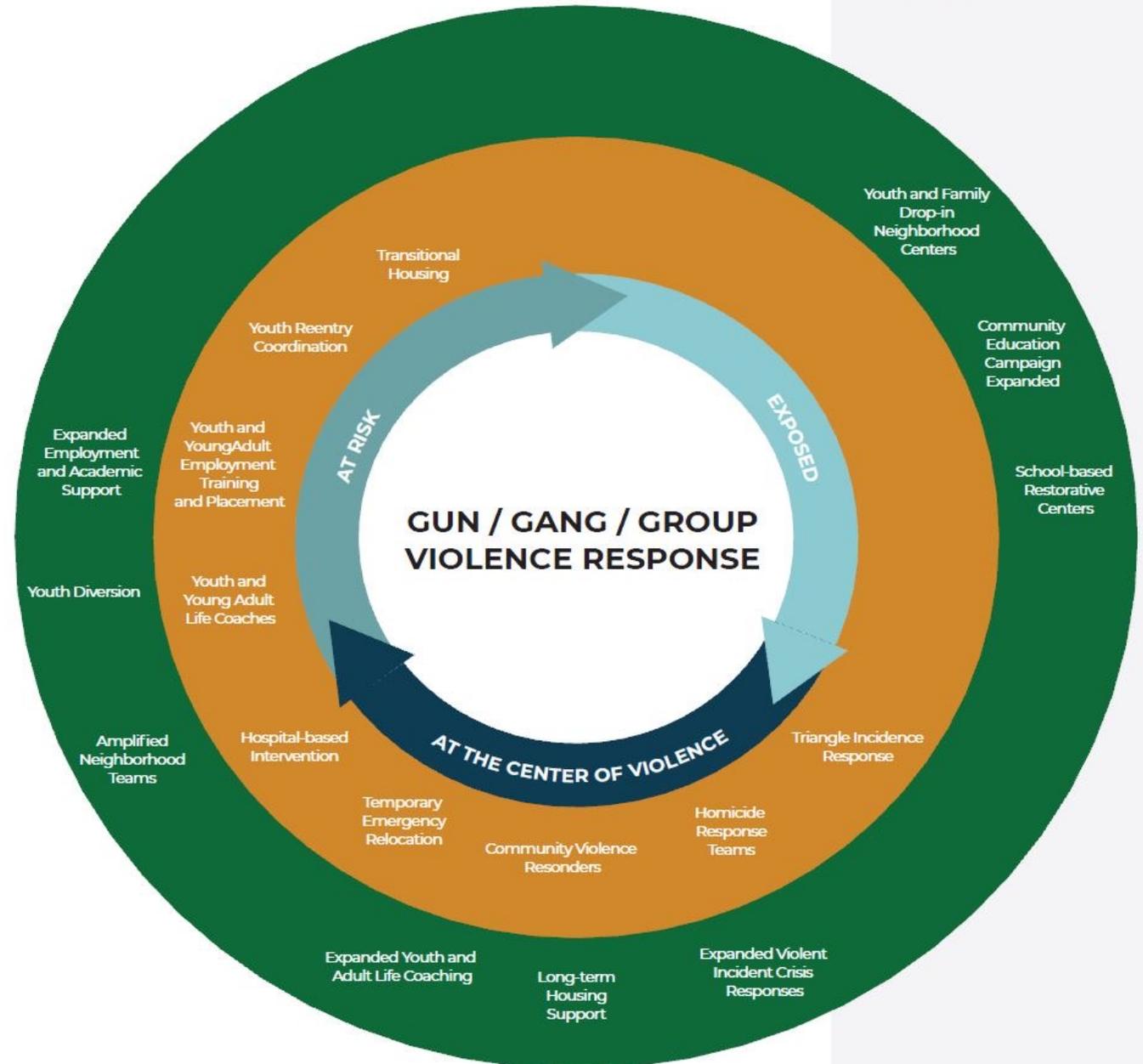
Gender Based Violence (25%)

Community Healing and Restoration (25%)

GUN / GROUP / GANG VIOLENCE RESPONSE

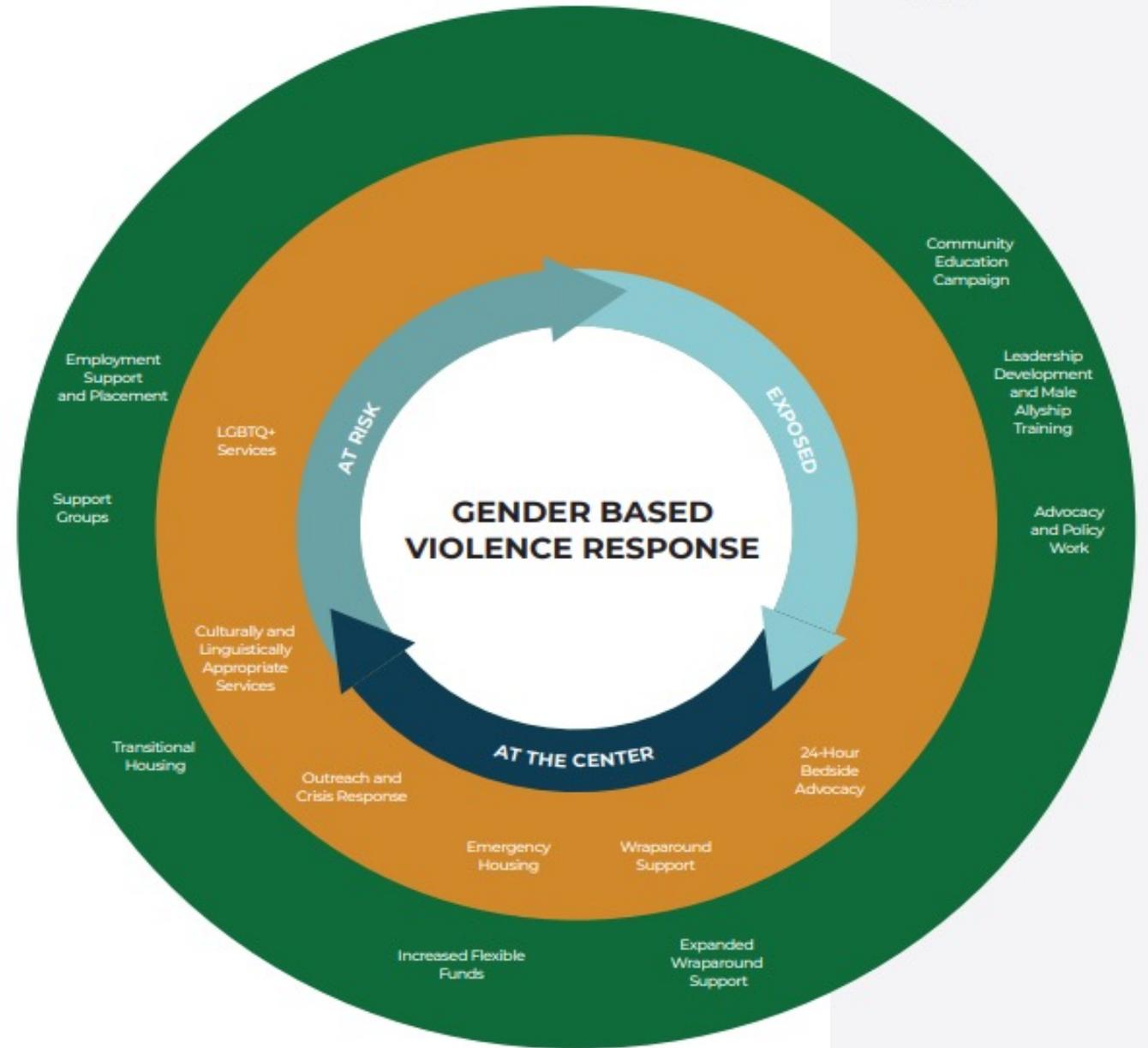
GUN / GROUP / GANG VIOLENCE RESPONSE

- Initial Investment
- Additional Funds Needed



GENDER-BASED VIOLENCE RESPONSE

GENDER-BASED VIOLENCE RESPONSE



COMMUNITY HEALING AND RESTORATION

COMMUNITY HEALING AND RESTORATION

- Initial Investment
- Additional Funds Needed



Response to Urgency of Gun Violence

Double the number of Interrupters (Vetting, Training, Standards)

Triangle Incident Response (24/7 Real Time)

Town Nights (8 sites)

Families as Partners in Solutions to Violence

Town Nights Components Background

Violence Interruption

Community Jobs -Outreach

Extended Recreational/Arts Activities/Food

2004 Baldwin Village AKA The Jungles (SOS)

GRYD 2008 to present 32 sites

Town Nights Dates

Events	
Fall Town Nights Events 4 consecutive Fridays 6:00pm-10:00pm	<ul style="list-style-type: none">•Monday, November 22, 2021•Friday, December 3, 2021•Friday, December 10, 2021•Friday, December 17, 2021
Summer Town Nights Events 4 consecutive Fridays 6:00pm-10:00pm	<ul style="list-style-type: none">•Friday, June 17, 2022•Friday, June 24, 2022•Friday, July 1, 2022•Friday, July 8, 2022

Town Night Locations

- 1. ACORN Learning Center – UPM & Khadafy Washington Project
1143 10th Street Oakland**
- 2. West Oakland Youth Center – UPM & Hoover-Foster RAC
3233 Market St, Oakland**
- 3. Cesar Chavez Park – CURYJ Fall Events
3705 Foothill Blvd. Oakland, CA 94601**
- 4. Josie De La Cruz – CURYJ Summer Events
1637 Fruitvale Ave, Oakland, CA 94601**

Town Nights Locations

5. San Antonio Park - TRYBE

1701 E 19th St, Oakland, CA 94606

6. Arroyo Viejo Park – Black Cultural Zone

701 Krause Ave. Oakland, CA 94605

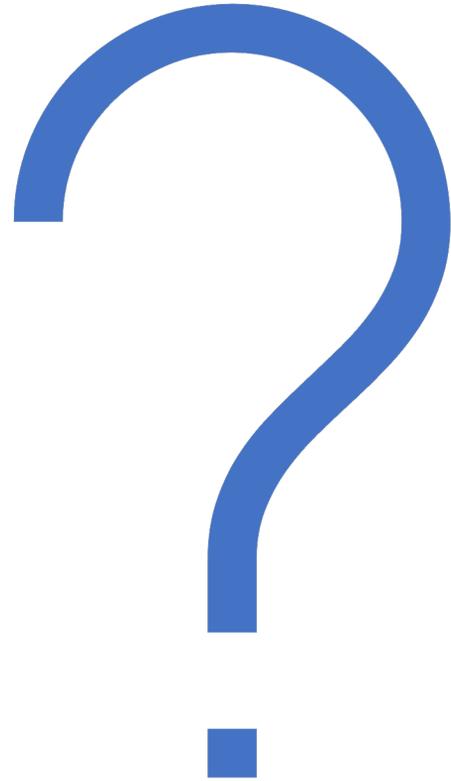
7. ROOTS Health Center - ROOTS

7830 MacArthur Blvd. Oakland

8. Castlemont High School GYM – BOSS & Adamika Village

8601 MacArthur Blvd Bldg. 300, Oakland, CA 94605

QUESTIONS?





CITY OF OAKLAND
Cultural Affairs Commission

TO: Diane Sanchez, Chair Cultural Affairs Commission
FROM: Greg Minor
Department of Economic and Workforce Development
DATE: October 20, 2021
**SUBJECT: DRAFT SECURITY REQUIREMENTS AND APPEAL PROCESS FOR
SPECIAL EVENTS PERMITS**

SUMMARY

In the summer of 2020, the City Council adopted Resolution No. 88236, which requested that the City Administration submit amendments to the City of Oakland special events and street closure ordinances to move the permitting of events from the Oakland Police Department (OPD) to civilian staff. This Resolution followed years of efforts to improve special event permitting; internal stakeholders have identified a need to improve coordination and external stakeholders have found the City's approach to entertainment inequitable and unclear.

In response, staff has been working on a number of fronts to both facilitate the transition of special events permitting from OPD and improve related programs. Along those lines, staff has composed draft security requirements for special events and outlined potential new approaches to reviewing a denial of a special event permit or the conditions placed upon a special event permit. Staff welcomes public feedback on these measures, which will expedite staff's final recommendation to the City Council later this year.

BACKGROUND / LEGISLATIVE HISTORY

Transition of Special Event Permitting

In the summer of 2020, the City Council adopted Resolution No. 88236, which requested that the City Administration submit amendments to the City of Oakland special events and street closure ordinances to move the permitting of events from OPD. Resolution No. 88236 did not provide any resources to support this transfer, meaning this Resolution assigned new functions to existing under-resourced staff. During the last year when public health orders prohibited gatherings, City staff focused its limited resources on existing assignments and COVID-19 responses, such as the Flex Streets Initiative to help restaurants and retailers operate outdoors, and the Lake Merritt vending program to support vendors impacted by the pandemic. However, in the recently adopted FY 2021-2023 City Budget, the City Council has made funding available for one permit technician position that will assist with the processing of special event permit applications once that position is filled.

In the interim, staff is working on a number of fronts to both facilitate the transition of special events permitting from OPD and improve related programs. First, staff has convened an

interdepartmental working group to streamline the special event permit application into a one-stop shop approach to simplify the process for event applicants and improve internal communication. Currently, event applicants need to apply for permits separately with multiple departments for one event. A draft one-stop shop special event permit application and a survey seeking community feedback on the new application are available here:

<https://www.oaklandca.gov/news/2021/seeking-community-feedback-on-updates-to-the-special-events-permitting-process>

Second, staff is finalizing the internal workflow and developing a new permit fee to reflect the updated one-stop shop approach to special event permitting.

Third, to improve transparency and reduce the costs borne by special event permit applicants, staff is researching best practices with regards to security requirements. To date staff has spoken with event permitting staff in San Francisco, CA, Los Angeles, CA, Austin, TX, and Seattle, WA.

Last, staff is also exploring approaches to reduce fire prevention bureau costs associated with events.

ANALYSIS AND POLICY ALTERNATIVES

Draft Security Requirements for Special Events

Currently, the City's special events ordinance authorizes the Chief of Police to determine whether an event requires any additional police services and to calculate the number of additional police services required based on what they deem is reasonably necessary for the event. This wide discretion has led some to question the security assessment, particularly when it results in applicants having to cover the cost of sworn officers on overtime.

Attachment A offers a first draft of special event security requirements outlining objective factors for when security measures are required and when police officers could be required. Staff welcomes feedback on this draft language from the Cultural Affairs Commission and the public.

Potential Approaches to Requests for Reconsideration

Another component that staff can include in proposed updates to the City's special events ordinance is an updated appeals process for special event permit applicants who wish to request a review of a denial of their special event permit application or the conditions placed upon their special event permit. The current ordinance allows for applicants to request reconsideration from the Chief of Police in writing.

An efficient and equitable appeals process can provide a meaningful check and balance to the administration of special event permits. Given the time sensitive nature of special events, though, an appeal process needs to be practical and members of any committee formed to hear

requests for reconsideration need to be available within a matter of days to ensure the request is processed before the event takes place. Accordingly, a special event permit review committee consisting of three individuals offers both the balance of different perspectives and a nimble decision-making body, as contrasted with an appeals process consisting of one-individual or a larger committee.

Below are different approaches to a three-person special event permit review committee for the Cultural Affairs Commission's consideration.

A. Review Committee Consisting of Commission Members

A review committee composed entirely of non-City staff could maximize transparency and public accountability for the administration of special event permits. Utilizing existing City commission members would minimize the procedural obstacles of appointing non-City staff person to a committee, since existing Commission members would have already been appointed to a commission by the City Council. In addition to members of the Cultural Affairs Commission, the review committee could potentially include members from other City commissions, including public safety related commissions. Members of the review committee could potentially serve on a rotating basis, such as a one-year term, upon approval of their respective commission.

On the other hand, commission members may lack event organizing or public safety experience that could be relevant to hearing special event permit appeals. Additionally, members of the special event review committee would need to be available in a matter of days, which could prove challenging for volunteers who have existing work and other commitments.

B. Review Committee Consisting of City Staff and Commission Members

A hybrid approach of a review committee consisting of both City staff and commission members could combine multiple perspectives and incorporate the transparency of including non-City staff. If the review committee consists of three members, a key question will be whether the committee should consist of one or two City staff members. How this question is answered will shape the committee, including its potential effectiveness.

Another key question is what City departments should participate in the review committee. Since requests for reconsideration will likely revolve around public safety requirements, such as the level of security, it seems appropriate to have a representative of the Oakland Police Department participate (provided the representative did not participate in the processing of the underlying permit). Other relevant City departments could include the Economic and Workforce Development Department (again, provided the representative did not participate in the processing of the underlying permit), the Department of Race and Equity, the Oakland Fire Department, Oakland Public Works, and Oakland Parks, Recreation and Youth Development Department.

C. Review Committee Consisting of City Staff

A review committee composed of City staff would lack the extra transparency of a community member, but likely be able to meet more quickly than a committee that included volunteers, which is critical given the need for reviewing requests before an event takes place. The committee could also include representatives from different departments to incorporate different perspectives' review of special event permitting.¹

FISCAL IMPACT

There is no fiscal impact associated with this report, however, the facilitation of festivals and events in Oakland can increase business ownership and employment opportunity for local entrepreneurs, event vendors and surrounding businesses.

RECOMMENDATION

Staff recommends that the Cultural Affairs Commission accept this informational report.

Respectfully submitted,



GREG MINOR
Assistant to the City Administrator

Attachment A: *Draft Special Event Security Requirements*

¹ The City of Seattle's appeal process consists of a panel of City staff from different departments:
https://library.municode.com/wa/seattle/codes/municipal_code?nodeId=TIT15STSIUS_SUBTITLE_ISTUSOR_CH15.52CRCOEV_15.52.060PR

ATTACHMENT A

DRAFT SPECIAL EVENT SECURITY REQUIREMENTS

October 20, 2021

(deletions in ~~strikethrough~~, additions in underline)

9.52.080 - Conditional approval of permit.

The ~~Chief of Police~~ City Administrator may impose additional conditions to a permit in the exercise of his or her reasonable discretion when conditionally granting a permit, including but not limited to:

A. Requiring the applicant to retain or hire one or more security officers and/or police officers to provide security at and during the event, said security officers and/or police officers present and on duty at all times during the event;

1. The Oakland Police Department will determine the level of security required at an event through a risk assessment that shall be based on the following factors:

a. Whether alcohol or cannabis will be consumed at the event;

b. How many attendees will be present;

c. Whether the event will require the closure of City streets;

d. Whether the applicant has any previous experience in the City of Oakland managing a special event;

e. Whether the event will take place at night;

f. Whether the event applicant has held prior events that resulted in violence;

g. Whether there is intelligence indicating there will be conflict at the event.

2. The City shall only require police officers to provide event security if:

a. The event will consist of more than 300 attendees; or

b. The event will require the directing of traffic; or

c. The event includes the sale of alcohol or cannabis; or

d. There is intelligence indicating there will be conflict at the event.

3. The City shall not require security officers or police officers if all of the following factors are present:

a. the event is a repeat of a prior event, with no changes in terms of event size, format, or applicant; and

- b. the prior event resulted in no public safety incidents; and
- c. the event will not require the directing of traffic; and
- d. the event will not include the sale of alcohol or cannabis; and
- e. the event will not include the exchange of cash; and
- f. the event consists of less than 100 people; and
- g. there is no intelligence indicating there will be conflict at the event.

4. Nothing in this section precludes the City from recommending a greater amount of security than prescribed above or from the event applicant requesting that police officers provide security at their event(s).

- B. Requiring the applicant to be personally present at all times during the event;
- C. Requiring the applicant to provide a working telephone where he or she can be reached directly at all times during the event;
- D. Requiring the posting of the event permit at the event facility;
- E. Requiring a refundable security deposit before issuance of the permit toward the costs of city services and/or cost of damages to public facilities that may be associated with such an event;
- F. Requiring provision of medical services on-site on a case-by-case basis and/or in consideration of the applicant's previous history;
- G. Requiring in the case of live performances the actual name and stage name of every act performing;
- H. Requiring the submission of copies of all promotional materials simultaneously with the posting or distribution of said materials. All promotional materials must identify the promoter, and must not be posted or affixed to or on city or public property;
- I. Requiring a proof of liability insurance in the amount required by the city;
- J. Requiring the event promoter to provide attended bike parking service for events that expect five thousand (5,000) or more attendees, and for smaller events at the discretion of the Chief of Police City Administrator. The promoter must advertise the service to potential attendees in all outreach and advertising materials and media, and place the bike parking area in an accessible location;
- K. Requiring such other additional conditions as are reasonably believed to be necessary to protect the public health, safety, welfare and order, as well as the health and welfare of restricted and other animals, and to minimize adverse impacts upon the surrounding neighborhood and the general community.